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Limited Appearance

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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THE WIZARD TRADES, LLC; and  
MICHAEL HUBBS,

Plaintiffs,

vs.

CHARLTON LACHASE, ANDRA RUSH,  
STEVEN DUHON, and BRIAN  
HERTNEKY,

Defendant.

**DECLARATION OF DEFENDANT  
CHARLTON LACHASE IN SUPPORT  
OF RULE 12(B)(2) MOTION TO  
DISMISS**

Case No. 2:23-cv-00207-DAO

Magistrate Judge Daphne A. Oberg

I, Charlton Lachase, declare as follows:

1. I am over the age of 18.
2. I am competent to testify to the matters stated herein, and unless otherwise stated,

I do so based on my personal knowledge.

3. I am one of the defendants in the above-captioned matter.
4. I reside in Fort Pierce, Florida.
5. When I purchased Plaintiff TWT's online instructional video course, I did not know

Plaintiff TWT was based in Utah.

6. I did not know that TWT was a Utah company until this lawsuit was served upon me in my home state of Florida.

7. I did not know that Plaintiff Michael Hubbs was a resident of Utah until this lawsuit was served upon me.

8. I have never visited Utah, have never intentionally performed any act in Utah, and did not know or intend that any statements I made about Plaintiffs would be directed into Utah.

**I declare under criminal penalty under the law of Utah that the foregoing is true and correct to the best of my knowledge and ability.**

**Signed on this 18th day of August, 2023, at Fort Pierce, Florida.**

**/s/ Charlton Lachase** \*  
**Charlton Lachase**

**\*Electronic signature added by counsel with express permission of declarant after review.**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 18th day of August, 2023, I caused a true and correct copy of the foregoing **DECLARATION OF CHARLTON LACHASE IN SUPPORT OF RULE 12(B)(2) MOTION TO DISMISS** to be delivered by the method indicated below to the following:

Randall B. Bateman  
BATEMAN IP  
299 S. Main St., Suite 1300  
Salt Lake City, UT 84111  
[rbb@batemanip.com](mailto:rbb@batemanip.com); [mail@batemanip.com](mailto:mail@batemanip.com)

- ☒ E-file Notification  
☐ USPS mail, first class postage prepaid  
☐ Facsimile Transmission  
☐ Email  
☐ Overnight Mail

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- ☒ E-file Notification  
☐ USPS mail, first class postage prepaid  
☐ Facsimile Transmission  
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- ☒ E-file Notification  
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☐ Facsimile Transmission  
☒ Email  
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Steven Duhon  
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Plano, TX 75023

- ☐ E-file Notification  
☒ USPS mail, first class postage prepaid  
☐ Facsimile Transmission  
☐ Email  
☐ Overnight Mail

/s/ Kim Gillespie

Parsons Behle & Latimer